

# THE DAILY BRITISH COLONIST.

VOL. 4.

VICTORIA, VANCOUVER ISLAND, TUESDAY, NOVEMBER 6, 1860.

NO. 92.

## THE BRITISH COLONIST

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THOS. BOYCE, N. E. corner Montgomery and Washington streets, San Francisco, is authorized to receive and receipt for subscriptions and advertisements in California.

## THE WEEKLY COLONIST.

Is furnished to Subscribers for \$6 a year; \$1 for six months; \$2 50 for three months; payable in advance.

### AGENTS.

Nanaimo.....A. D. McInnes  
New Westminster.....Seth T. Tilley  
Fort Langley.....W. Winnard  
Fort Hope.....Ballou's Express  
Port Yale.....Kurtz & Co  
Port Douglas.....Myers' Express  
Cayoosh.....Myers' Express  
Lytton City.....Jas. H. Batterton  
Port Alexander.....Pony Express Co

### AN ACT

TO IMPOSE CERTAIN DUTIES IN RESPECT OF CERTAIN TRADES AND OCCUPATIONS.

WHEREAS, it is expedient to impose certain duties in respect of certain trades and occupations for the purpose of raising Revenue within the Colony of Vancouver Island and its Dependencies.

Be it enacted, by the Governor on behalf of Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Vancouver Island and its Dependencies, as follows:

### Annual Licenses.

I. That from and after the passage of this Act all persons using the occupations following in the said colony and its dependencies, shall take out an annual license in respect of which the amounts following shall be paid in advance to and for the use of Her Majesty, her heirs and successors, as from the first day of July one thousand eight hundred and sixty.

### Barristers and Attorneys.

II. Every person enrolled as a Barrister, Attorney, or Solicitor in the Supreme Court of Civil Justice of Vancouver Island, Ten pounds.

### Auctioneers.

Every person using the business or occupation of an auctioneer, Ten pounds.

### Estate Agents.

Every person using the business or occupation of an estate agent, Ten pounds.

### Bankers.

Every person using the business or occupation of a Banker, Fifty pounds.

### Billiard Tables and Bowling Alleys.

Every person keeping any billiard table for public use or letting for hire any billiard table, Five pounds in respect of each table let for hire or kept for public use.

Every person letting for hire any Bowling Alley, two pounds ten shillings for each Bowling Alley.

### Traders to pay an assessed duty half yearly and make returns.

III. All Alum makers, Apothecaries, Bleachers, Brewers, Bakers, Brick makers, Builders, Calenderers, Carpenters, Carters, Cattle or Sheep Salesmen, Coach proprietors, Cow keepers, Dyers, Fullers, Lime burners, Liver Stable keepers, Market gardeners, Millers, Packers, Printers, Ship owners, Shipwrights, Victuallers, Warehouses, Wharfingers, persons using the trade or profession of a Scrivener receiving other men's monies or estates into their trust or custody; persons insuring ships or their freights or other matters against perils of the sea, and all persons using the trade of merchandize by way of Bargaining, Exchange, Bartering, Commission, Consignment, or otherwise in gross or by retail, and all persons who either for themselves or as Agents or Factors for others, seek their living by buying and selling, or buying or letting for hire, or by the workmanship of goods and commodities, shall pay to the use of Her Majesty, her heirs and successors, half yearly an assessment upon the actual amount of the money or equivalent for money which during the three calendar months next preceding the return herein-after mentioned, shall have been received by him or any person in his behalf, in respect of Sales, Barters, or other transactions connected with his business, after the scale marked A in the Schedule hereto and to be ascertained by assessment, and shall for that purpose within fourteen days after the passage of this Act deliver to the Treasury of Vancouver Island, at the Treasury, a return as from the first day of July last in the form marked B in the said Schedule, and shall fill in the same with a correct statement of the actual amount of the money or equivalent for money which during the three calendar months next preceding the return shall have been received by him or by any person in his behalf in respect of sales, barters, or other transactions

connected with his business, such return to be made of the actual and gross amount without any deduction whatsoever, and shall also deliver to the Treasurer at the Treasury a like return on the first day of January and first day of July of every year from the date hereof.

### Saving of Farmers.

IV. Provided that no Farmer, Grazier, Common Laborer or Workman for hire, Receiver General of the Taxes, or member of, or subscriber to any Incorporate, Commercial or Trading Company, established by Charter or Act of Parliament, shall individually be deemed as such a Trader to be liable to make any return as aforesaid.

### Three Assessors.

V. The Governor for the time being shall within fourteen days after the passage of this Act, appoint three Assessors.

Treasurer to make out List of Persons Returned.

VI. The Treasurer shall, within seven days after the days appointed for the receipt of the said returns, make out a list of the persons who shall have made such returns arranging their names in alphabetical order, and stating the place of business of each said person, and the amount at which he shall have returned his said Sales, Barters, or other transactions in the form marked C in the said Schedule, and shall deliver such list to the Assessor.

Assessors to compare returns with their information, and make Assessment Roll.

VII. The Assessors shall within fourteen days from said delivery, compare the said list with the information which they shall have obtained, and from the result at which they may arrive, make out a list of the persons liable to pay the said licenses, specifying the amount of license payable by each person.

### Lists to be Exhibited.

VIII. The Assessors shall, upon the completion of the said List, publish and exhibit the same at the Post office, Victoria, and at such other public and conspicuous places as they may select in every locality where any person placed on the said List may have his place of business.

Notices of amount of Assessment to be sent to persons liable.

IX. The Assessors, before the completion of their Rolls, shall leave at the place of abode or business of every party named thereon, and resident or domiciled, or having a place of business within the colony, and shall transmit by post to every non-resident named thereon, whose place of abode is known to the said Assessors, a notice of the amount at which he has been assessed.

### Verification by Assessors.

X. The Assessors shall attach to the Assessment Roll, when complete, a certificate signed by them respectively, and verified by oath or affirmation which shall be in the form following:

"I do certify that I have set down in the above Assessment Roll, all the persons liable to pay Trading licenses, and the true amount thereof, in each case according to the best of my information and judgment, and that I have not entered the name of any person whom I do not truly believe to be liable, nor omitted any person whom I believe to be so liable."

Roll, when completed, to be delivered to the Treasurer and exhibited publicly.

Penalty for not taking out license.

XXII. Any person using any business or occupation specified in the second section of this Act, after the expiry of fourteen days from the passage of this Act, without having taken out a license as aforesaid, shall be liable to a penalty of not more than £50, to be recovered in a summary way before any Justice of the Peace. The licenses specified in this Act, shall be granted by the Sheriff.

Licenses on persons commencing Business.

XXIV. Any person desirous of using any of the trades or occupations specified in the 3d Section of this Act, who shall not have previously used any of such trades and occupations, shall before doing so, take out a half yearly license at the lowest amount in the Schedule contained.

Act not to extend to dealers by retail in liquors.

XXV. Nothing in this Act shall be deemed to extend to any person taking out a retail liquor license, nor shall any persons who pay a wholesale liquor license be required to include in their returns, the amounts received for the sale of liquor.

License to be taken out by persons conducting the business.

XXVI. Whenever any person not resident in the colony shall use any business or occupation in respect whereof he is hereby rendered liable to take out any license, or make any return as aforesaid, the return and license may be respectively made and taken out by any person conducting, managing, or being concerned in the management or conduct of such business, and wherever any person shall conduct, manage, or be concerned in the management or conduct of any business in the absence of the proprietors of such business, the person so conducting, managing, or being concerned in the management or conduct of such business, shall be liable to the penalties aforesaid, in default of payment.

Short Title.

XXVII. This Act may be cited as the "Trade Licenses Act, 1860."

### Oaths.

XIV. The Court, or any member thereof, may administer an oath to any party, or witness, and the wilful violation of any such oath, shall be punishable as perjury.

### Trial by Court of Complaints.

XV. The Court shall try all complaints in regard to persons being wrongfully placed upon, or omitted from, the Assessment Roll, or being assessed at too high or too low a rate.

### Completion of Roll.

XVI. All the duties of the Court of Revision which relate to the matters aforesaid, shall be completed, and the Roll finally revised by the Court, within fourteen days after the first meeting of the Court.

### Procedure, Notice to Assessor.

XVII. The proceedings for the trial of complaints shall be as follows:

(1.) Any person complaining of an error, omission, undercharge, or overcharge by the Assessor, either with regard to himself or any other person on the list, shall personally, or by his agent, within fourteen days after the posting up of the Roll, give notice to the Assessor, that he considers

### himself aggrieved, for any of the causes aforesaid.

Notice to Person to whose Assessment an objection be made.

(2.) If a person assessed complains of the assessment or omission of any other person, he shall, within three days after the posting of a copy of the Roll in manner aforesaid, give notice in writing to such person, and to the Assessor, of his intention to object.

### Publication of Lists of Complaints.

(3.) The Assessors shall post up in some convenient and public place within the District, a list of all complaints against the Assessor's return, with a concise description of the matter complained against, together with an announcement of the time when the Court will be held to hear complaints.

Such list may be in the form D, in the said Schedule.

### Time of the Sitting to be Advertised.

(4) The Sheriff shall advertise in the Government Gazette, and one or more newspapers published in the colony, the time at which the Court will hold its first sitting.

(5) The Court after hearing upon oath the complainant and the Assessor or Assessors, and any witnesses adduced by or on behalf of either of them, shall determine the matter, and confirm or amend the Roll accordingly.

### Ex parte proceedings.

(6) If either party fails to appear either in person or by an agent, the court may proceed ex parte.

### Roll when revised to be final.

XVIII. The Roll as finally passed by the Court, and certified by them as so passed, shall bind all parties concerned notwithstanding any defect or error committed in or with regard to such Roll.

### Publication of Revised Roll.

XIX. The Assessment Roll as finally passed, shall, within seven days from its final passage, be posted up by the Sheriff, in at least six conspicuous places in each District in which any person is assessed, and shall also be published in the Government Gazette, and in one or more such newspapers as aforesaid.

### Payment of Assessment.

XX. Every person assessed in the Assessment Roll as finally passed, shall within ten days after the final passage thereof, pay the amount set opposite his name in such Assessment Roll into the Treasury.

### In default Distress.

XXI. If the amount so assessed be not paid into the Treasury within such ten days the Sheriff shall levy the same by distress of the Goods and Chattels of the person liable to pay the same, and also the reasonable costs not exceeding five pounds, and shall pay the same into the Treasury, for the benefit of the General Revenue, less the amount of the actual expense incurred by the Sheriff.

### Appeals to be heard at the Court of Revision, to be held at

## SCHEDULE.

SCALE A.

Under £ 100 half yearly,.....	£1 0 0
" £ 100 to £ 250,.....	1 10 0
" £ 250 to £ 500,.....	2 0 0
" £ 500 to £ 1,000,.....	3 10 0
" £ 1,000 to £ 2,500,.....	6 0 0
" £ 2,500 to £ 5,000,.....	9 0 0
Above £ 5,000,.....	12 10 0

## FORM B.

### Return of Transactions of

### Carrying on Business at

Name.	Character of Business.	Place or Places where Carried on.	Amount of Transactions during Three months ending day of	Amount of License to be paid.

Signed

of

## FORM C.

### List of Persons returned for Assessment under Trade Licenses Act, 1860.

Name.	Place of Business.	Amount Returned.	Amount Payable.

## FORM D.

Appeals to be heard at the Court of Revision, to be held at

on the day of 186

Appellant.	Respecting Whom.	Matter Complained of.
A. B.	Self,	Overcharge on Returns.
C. D.	E. F.	Names omitted.
L. M.	N. O.	Returns undercharged.

Passed the House of Assembly, 4th day of October, 1860. Passed the Council, 12th October, 1860. Assented to by His Excellency the Governor, 24th October, 1860.

## MCFIE & MONET,

GOVERNMENT STREET,

Opposite Mr. Harris' New Building.

TORACONISTS, DEALERS IN SE-

GAIRS.

Fruits and Confectionaries, Honey, Prunes, Citron,

Figs, Spices, Raisins, Chocolate, Currants, Lemon

and Orange Peel, — ALSO —

English Pres

## THE BRITISH COLONIST

### TO ADVERTISERS.

All advertisements, unless the time for which they are to be inserted is specified, will be continued until ordered out, and so charged.

### CORRESPONDENCE,

Communications of general interest to the public, will not be refused insertion in the COLONIST on account of differing with the views of the paper, provided that they are brief and to the point.

Tuesday Morning, Nov. 6, 1860.

### Trades' License Act, 1860.

We publish to-day entire the "Trades' License Act, 1860." It affects nearly every trade and profession in the country; and from the manner in which it is framed, cannot but prove obnoxious to the public. It is not the amount of the tax that will create opposition; but the manner in which the tax is raised. The first part of the act enacts that certain professions shall pay an annual license, no inquisition being made on that account into the extent of a man's business. Consequently the annual trades' license will not create any discontent as to the mode; and perhaps little as regards the sums paid. These licenses, however, are retrospective, inasmuch as they are to be paid from the first day of July last. A very singular *ex post facto* law indeed, to say the least.

In the third section of the bill, however, is where the obnoxious provisions exist. Nearly every person will be required to furnish a full statement of his business every six months. Thus everybody's business will be exposed to everybody; for it has to be published. We have no wish to raise any excitement in relation to this matter, but such wholesale inquisition cannot but produce it. Business men generally—good business men—have always a great repugnance to publishing their business. It matters not whether such repugnance is well or ill-founded. It exists; and the existence of such a feeling will be strongly manifested. It is therefore painful to contemplate a government endorsing such a measure. We know nothing so likely to offend. In fact, it appears so obnoxious that the wisest course would be to repeal it at once, and impose a poll-tax and a tax on personal property. The latter would have been far more simple; and though sufficiently inquisitorial, would not have been obnoxious to the community. The idea apparently has been to avoid the imposition of a tax on merchandise, for fear such a tax would be considered equivalent to a duty. But such reasoning is a fallacy, as the goods pay the tax under the system enacted. This tax may be called a license, but its inquisitorial character will render it very unpopular.

### BIOT AT THE THEATRE.

The Building Invaded and Taken Possession of by the Blacks.

### FEARFUL SCENES.

On Saturday night last a riot occurred at the Colonial Theatre, under the following circumstances: About half-past 7 o'clock, when the building was about two-thirds filled, and the curtain was about being "run up" for the first piece, "Perfection," two negroes came to the side door leading to the parquet, on the French Hotel alley, and demanding admittance, were refused by the doorkeeper. They immediately applied their backs to the door, and forcing it open, took seats. Considerable excitement ensued, and loud calls were made from all parts of the house to turn them out. Several of the audience went forward and asked them to withdraw, and Mr. Townsend, one of the company, offered them a dollar each, saying "here's your money; go out." The doorkeeper, a young man named John Wolfe, interfered and stated that they had not given him tickets, but had forced their way in. At this moment, a white man jumped forward, and grasping one of the negroes by the collar, attempted to pull him out. The latter resisted and struck his assailant, when fight ensued between the two. The actors, who were all dressed ready for the stage, jumped into the parquette; the portion of the audience in the gallery followed their example, and while making their way towards the belligerents, the door was suddenly burst in, and a large number of negroes, armed with clubs, entered, and commenced striking right and left with their weapons. The greatest excitement ensued. Several ladies who were in the parquette, were induced to go behind the stage, and portion of the whites took refuge on the stage. Several white men were knocked down by the negroes, kicked and otherwise abused, and the fight became general. A huge negro, grasping a chair from the orchestra, swung it around, and opened a path for himself and followers through a crowd of whites, over their

prostrate bodies. Another, seizing a camphene lamp from the footlights, threw it blazing among the audience; the compliment was returned by a white man, and a negro's hair and clothes set on fire by the burning camphene, which, however, was soon extinguished by one of his friends. Another lamp was upset on the stage, and a blaze, which threatened to fire the whole place, arose. The cry of "fire" was now mingled with the general uproar. The alarm was carried to the track-house, and the fire-bell rang out an alarm. A messenger was also dispatched to the station-house, and several of the police, under Acting-Superintendent Smith, were soon on their way towards the scene of riot. In the meantime, the fire on the stage had been extinguished by the attaches of the theatre, and the fight continued for a few moments. The whites, however, gradually gave way, and soon the blacks held undisputed possession of the parquette, and several of them took charge of the door. Men, bleeding from wounds in the face and head, were to be seen making their way through the gallery into the street, while the negroes flourished their clubs, and rejoiced over their victory. At this moment, Acting Superintendent Smith, with his force of policemen, arrived, and the clubs disappeared from sight in an instant. Mr. Beatty, the acting-manager, pointed out the principal rioters, and they were quickly marched off to prison. The police also found two revolver-sheaths, a hatchet, and several clubs on the floor. Quiet being in a measure restored, Major DeCourcey, magistrate of San Juan Island, mounted the stage and made a few pertinent remarks, advising the negroes to withdraw, which they did, and all was quieted in a few moments, and the curtain soon rose and the play proceeded. The police acted with an energy and system highly commendable; every man seemed to have been instructed as to his duty, and every man did it promptly. The number of arrests was seven—five negroes and two white men. Mr. Bailey, of the firm of Golding & Bailey, received several severe cuts in the head; Mr. Beatty was badly bruised in the breast by a blow from a club; and ——Hall, a waterman, received some severe contusions in the head and body, none of which, however, were very severe. A large number were knocked down and trampled under foot by the negroes; but escaped with slight bruises. Only one black was injured—slightly in the head. At one time the alley way was filled with colored men, and it is thought there could not have been less than 100 present.

After the performances had closed, the parties arrested were admitted to bail in the sum of ten pounds each. Yesterday morning, the theatre bore many unmistakable marks of the struggle on Saturday night. Blood was to be seen upon the floor of the theatre, the side of the stage, and upon the proscenium. On one end of the drop curtain, a large patch of blood appeared, evidently caused by some wounded person who had made his escape from the house through the back door. Broken clubs, the collar of a coat, buttons, and other small articles lay scattered around the floor in elegant confusion.

After the riot had subsided, several of the colored men bought tickets for the gallery, to which they ascended and remained quiet during the performances. A negro in the pit, between the acts in the play of "Rob Roy," was rotten-egged by some white blackguards near him.

A short time before the performances closed, officers Welch and Blake, stationed in the pit, observed three negroes moving suspiciously about among the white people. They remained a short time, and perceiving that they were watched, passed out into the street. While passing Mr. Blake, that officer felt a revolver under the coat of one of them. The officer attempted to arrest him; but he fled down Government street into the Fort yard, and hid under one of the old buildings. He was closely followed and pulled from his hiding-place by the policeman, but no revolver was found upon him. On leading him back, however, a revolver (a Colt's six-shooter), fully capped and loaded with ball, was found lying near the gate.

The origin of this scene of ruffianism is said to have been the exclusion of a negro named Stephens from the parquet of the theatre about a week ago. It is said the affair had been brewing for several days; and that the riot was the result of an organized plan on the part of the colored population, who, it is asserted, came fully prepared for mischief.

At an early hour yesterday morning, the avenues leading to the court-house were crowded by a large number of people, white and black, and when the doors were opened, a great rush was made into the room, which was soon filled. During the rush the greatest disorder prevailed; the side-win-

dows of the front door were broken, and all seemed bent upon making as much noise as possible. After order had been restored, the cases of the colored rioters—James Stevens, Stephen Anderson, Geo. Washington and A. Richards—were partially examined, and they were ordered to appear for a final examination on Wednesday morning, at ten o'clock. They were released upon entering into their own recognizances in the sum of £10 each. John Wolfe and Jas. Thompson, white men, were also bound over in a like sum to appear at the same time and place.

**ATTEMPT AT MURDER.**—On Sunday afternoon, about two o'clock, John Howe, an Englishman, and Robert Nelson, a German, employed on the Hudson Bay Company's Farm, near Cadboro Bay, fell into a dispute about the occupancy of a house. Hard words passed between them, when Howe seized a shot-gun and discharged a load of buckshot in Nelson's back as he was retreating. Howe was secured until the arrival of Sergeant Carey and Despard, of the police force, on the spot, when he was handed over to their custody, and conveyed to jail. Nelson was taken to the Royal Hospital. It is thought the wound (which is in the small of his back,) will not prove fatal.

## NEW ADVERTISEMENTS.

### Colonial Theatre.

#### POTTER DRAMATIC TROUPE.

WEDNESDAY EVENING, Nov. 7, 1860,  
Will be presented Shakespeare's Grand Tragedy of

#### RICHARD THE THIRD!

Favorite Song by Miss Lulu Sweet.

To conclude with the laughable Farce of

#### THE ROUGH DIAMOND.

#### WANTED,

A BOY AS HOUSE SERVANT IN A  
small family. Apply at the Office of this paper.  
100 3t

#### YALE TOWN LOTS FOR SALE.

THREE VALUABLE LOTS IN THIS  
rising town for sale. Particulars of price and  
situation on application to J. J. COCHRANE, Land Agent,  
100 3t Government street.

#### INSOLVENT ESTATE IN LYTTON, BRITISH COLUMBIA, IN RE MOSES SOLOMON.

TO BE SOLD BY AUCTION, AT LYTTON,  
on the fifteenth day of December next, the  
House and premises at present occupied by Messrs.  
Oppenheimer & Co., in that city. Immediate possession.

By order of the official Assignee,  
WILLIAM KELLY.

#### For New Westminster.

The Splendid Steamer

#### ELIZA ANDERSON,

WILL RUN REGULARLY, LEAVING  
Victoria every TUESDAY EVENING, connecting  
with the up-ripar boats.

For Freight and Passage, which will be at the  
lowest rates, apply on board.

#### Tiger Engine Company.

AT YOUR REGULAR MONTHLY  
Meeting, THIS (Tuesday) EVENING, motion  
will be introduced for a general revision of the  
Constitution and By-Laws of the Company.  
C. CUSHMAN, Sec'y.

#### A TA MEETING OF THE FIRE DEPARTMENT AND CITIZENS OF VICTORIA, held at the

Tiger Engine House, No. 2, on the 2d of November, 1860.

Chief Engineer J. A. McCrea in the Chair.  
Messrs. Guild, Harris and McCann were appointed as a Committee to draw up Resolutions in honor of Capt. A. S. Murray, who leaves for Australia in the bark "Sea Nymph," after retiring they presented the following Resolution, which was unanimously adopted:

Whereas our worthy friend, Capt. A. S. Murray, is about leaving this Colony on a visit to Australia, it is therefore

Resolved, That it is with feelings of the deepest regret that we are compelled to part with one who has been so closely identified with the early interests of this Colony; and we wish him and family a safe and prosperous voyage and speedy return.

J. A. McCREA, Chairman.

#### INTERNATIONAL BOARDING HOUSE, KEPT BY J. HEAL.

THIS POPULAR BOARDING HOUSE

has been removed to the large new Establishment in YATES STREET, below Douglas, and he is prepared to offer increased accommodation to single gentlemen or families.

Board and Lodging from \$6 to \$8 per week.

Private Rooms for families.

The tables will be furnished at all times with the best the market can afford.

#### St. Andrew's Society.

Meeting Preparatory to the Anniversary  
Assembly.

#### THE TERM FOR WHICH OFFICERS

were elected expires on TUESDAY NEXT, the  
13th instant, on which Evening, at 8 o'clock, the  
above meeting will be held, for the purpose of electing  
a President, Vice President, Chaplain, Medical  
Adviser, Managers, Treasurer, Secretary and War-  
den.

JOHN COPLAND, President.

#### NOTICE.

THE COPARTNERSHIP EXISTING  
between the undersigned carrying on business in  
Yates street, Victoria, as Commission Merchants,  
under the Firm of NORRIS, COX & CO., is this day  
dissolved by mutual consent.

JOHN G. NORRIS,  
JOHN COX.

Victoria, 1st November, 1860.

The business will be continued as usual by J. G.  
NORRIS, by whom consignments are respectfully  
solicited.

n3 1m

#### Coals at \$9.00 per Ton or 2,340 Pounds.

THE VICTORIA COAL COMPANY  
offer for sale One Hundred Tons superior Coals,  
scrubbed free from dust, and suitable for small stoves  
and grates, free of dressing and portage, in quantities  
of one ton and upwards.

JOHN T. LITTLE & CO. Agent.

o31 1m2dp

VICTORIA.

Bank British N America Wells, Fargo & Co.,  
MacDonald & Co.

n1 1m2dp

MARCHAND, JR., & CO.

## NEW ADVERTISEMENTS.

### A Rare Chance.

THE PROPRIETOR OF A WELL  
established BOARDING HOUSE, centrally lo-  
cated, and doing a fine business, offers it for sale, on  
account of ill health; will be sold at a great bargain.  
Address, through Post Office, "J. M. M., Victoria."  
n1 1m2dp

## A U C T I O N .

FRIDAY, November 9th, 1860.

At 11 o'clock, A. M.,

### Gifts for the Holidays!

Special and Peremptory Sale of

### Rich Heavy Plated Silverware

AT THE

BRICK STORE FORMERLY OCCUPIED BY  
MESSRS. MACK & CO.,

Government street, under the "British Colonist"  
Printing Office.

The Goods are all new, just out of the cases, and  
excel anything in quality ever offered in this market.

—CONSISTING IN A VARIETY—

Richly chased solid silver-edged and mounted Wine  
Coolers, for two and four bottles;

Richly chased and beautifully embossed Cake Bas-  
kets;

Heavy plated Sugar Stands, with beautiful Glass  
Bowls, assorted colors;

Beautiful Egg Stands, with cups and spoons;

Rich Sets Fish Carvers, in boxes;

Britannia Tea, Coffee and Milk Pots.

—ALSO—

Gravy Spoons, Ink Stands, Bottle Coasters, Pickle  
Stands, Sauce Ladies, Grape Scissors, Egg Cups,

Spiral Labels, Jelly and Cake Moulds, Paste Cutters,

Bottle Holders, Snuffers and Trays, Toast Racks,

Tumbler Racks, etc.

—ALSO—

25 doz rich French China Soup and Dinner Plates;

12 fine Muscle Boxes;

9 sets Dental Instruments;

Steinkopfs;

Draught Boards and Fancy Boxes.

The whole comprising a beautiful assortment of  
useful, as well as ornamental articles, and affords an  
excellent opportunity for young married ladies to  
test the liberality of their husbands. The Goods will  
be open for inspection on Thursday, 1st, and ladies and  
gentlemen are invited to call and examine the same.

J. A. McCREA,

Auctioneer.

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### Public Notice.

WHEREAS, THE ACT TO IMPOSE  
CERTAIN DUTIES in respect of certain Trade and  
Occupations, came into operation on the 24th day  
of October, 1860; and whereas Section 3d of said  
Act provides that all Traders and others shall,  
within fifteen days after the passage of this Act,  
deliver to the Treasurer of Vancouver Island, at the  
Treasury, a return as from the first day of July last.  
In the form marked B in the said Schedule, and shall  
file in the same with a correct statement of the actual  
amount of the money which during the three calen-  
dar months next preceding the return, shall have  
been received by him, or any person in his behalf."

I hereby give notice that such returns must be de-  
livered at the Treasury, on or before the 1st day of  
November next, according to the Law.

G. T. GORDON,

Acting Treasurer.

Treasury, November 5th, 1860.

N. B.—Copies of this Act can be obtained at Messrs.  
Hibben & Carswell's, at cost price, and blank Forms  
of Return, upon application either at Messrs. Hibben  
& Carswell's or at the Treasury.

n5

—Are sold at the Stationery and News Dops of  
this place.

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### The Charge against Attorney General Cary.

The charge against Attorney General Cary, of obtaining money under false pretence, preferred by Edward Edwards Langford, Esq., was heard yesterday in the Police Court, before Justices Pemberton and DeCourcey.

Mr. Langford took the stand and swore that his information, charging Mr. Cary with having obtained money from him on a bill of costs from the Supreme Court in June last, under false pretences, was true. The information alleges that divers sums of money (among which was the sum of two guineas alleged to have been paid A. Munro as a witness fee) were obtained from him under pretence that they were to be used in paying witnesses in the libel suit of Langford vs. King, but which the complainant alleged were never paid.

Mr. Cary—I give notice, your honor, that so soon as this case is over, I shall prefer a charge against E. E. Langford for wilful and malicious perjury.

Mr. Langford, sworn—I was plaintiff in the libel suit of Langford vs. King; after the trial a bill of costs for £90 9s. 2d. was sent me and I paid; a portion of this amount was alleged to have been paid witnesses; John Miles never offered to return me 8 guineas; he offered me a sum of money which I declined to accept; he did not tell me how much.

In reply to a question from Mr. Cary, Mr. Langford asked the magistrate to protect him; he occupied a very distressing position; all the legal profession were against him, and he stood in need of protection.

Mr. Cary—Did Mr. Miles make this offer before or after you entered your protest to the bill of costs?

Ans.—After.

Mr. Cary—Did you tell Mr. Munro that you had eight guineas given you.

Ans.—I did not. I had a conversation with Mr. Munro; I asked him if he had received two guineas in the case of Langford vs. Cary. He said he had not; that he had been asked by Mr. Drake after the trial what his charge was, and had replied, "nothing—not will I take anything."

A war of words ensued between Mr. Langford and Mr. Cary, which ended in the latter claiming the "protection of the court from that man's impertinence."

The court assured him he should have the desired protection.

Mr. Cary—Didn't you tell Mr. Munro that the balance of the money had been paid to the hospital?

Ans.—So help me God, I never did.

Mr. Cary—Were you not told by the Sheriff on the day you came to lay this information against me, that the money for the costs of the case had been paid to Mr. Drake?

Ans.—I won't swear positively. There was a great deal of conversation going on in the judge's room.

Mr. Cary—And yet you come up here and perjure yourself by saying that I received the money?

Ans.—I say I believe you received it. I do not wish you to address me in such a manner.

Mr. Cary—I would not address you at all, and would not defile my tongue in talking to you, but for this charge. Didn't you think it necessary to ascertain whether this money had been paid to Drake or myself.

Ans.—No; Drake is your clerk or agent. I knew, previous to this day, that some of the money had been paid to the hospital; when Miles offered to give me the money, I refused to take it; refused so peremptorily; the money alleged to have been paid to Munro was never offered to me.

Thos. Williams, sworn—Am Registrar of the Supreme Court. [Bill of costs in case of Langford vs. King banded witness.] Judgment was entered against Mr. Langford in the sum of £90 9s. 2d.; this is a copy of the bill on file in my office; do not know whether Drake or Cary filed the bill; Mr. Drake attended me as to the taxation of costs; when bills of costs are brought to me I invariably tax them; this bill was laid before the Chief Justice.

Ques.—Have you any vouchers of the amount paid Mr. Cary. Overruled.

Mr. Langford read a letter, signed "for Geo. Hunter Cary," demanding payment of the costs of suit—£90 9s. 2d.

Mr. Cary—I object to this letter being read.

Mr. Langford—I wish to know if you wrote it.

Mr. Cary—Call Drake; he will tell you.

Wm. Culverwell, sworn—Am Sheriff's bailiff; put an execution on Mr. Langford's house for £90 9s. 2d, costs of suit in case of Langford vs. King.

Ques.—Who ordered you to do so?

Ans.—The Supreme Court. The writ was given me by Mr. Drake.

Ques.—Did Mr. Drake ever order you to bring my goods to Victoria for sale?

Mr. Cary—I am not going to listen to all this nonsense. My time is not to be wasted.

Mr. Langford—Oh, yes; it is nonsense to you; but my life's blood might have oozed out for all you would have cared.

Mr. E. G. Alston, barrister-at-law, seated near Mr. Langford, here laughed loudly.

Mr. Langford—Your conduct, Mr. Alston, is unbecoming a barrister.

Mr. Alston—Don't address me, sir.

Mr. Langford—Your conduct is very improper.

Mr. Cary—Oh, great offence, truly. To witness:—Were you ever asked to put off this execution to accommodate Mr. Langford?

Ans.—Yes; and I told Mr. Cary, and he said he would be happy to accommodate him.

Mr. Langford—I deny the truth of that evidence. I never asked him for grace.

Mr. Pemberton—You will have to keep order, Mr. Langford.

Mr. Culverwell—I remember you [Mr. Langford] coming to the Sheriff's office to pay the costs—£97 5s. 3d.; you paid them to Sheriff Naylor; it was on the 14th day of July; I believe I saw Mr. Naylor pay the money to Mr. Drake.

Sheriff Naylor, sworn—On the 14th day of last July I received £97 15s 6d from Mr. Langford. Out of that I paid £33 7s, sheriff's fees, and the balance I paid to Mr. Drake; took no receipt. Mr. Culverwell was present when I paid the money.

To Mr. Cary—I informed Mr. Langford last Thursday that I had paid the money to Drake. I told Mr. Langford so in presence of Mr. Pemberton and Mr. Waddington that I had paid Drake. I had nothing to do with Mr. Cary in this matter. At the time I told Mr. Langford this, Mr. Waddington, in the former's presence, said, "Oh, you paid the amount to Mr. Drake as Cary's agent."

Mr. Cary—Oh, is Mr. Waddington an informant in this matter then?

Mr. Langford—No, sir; you know he is not.

Mr. Cary—Am I to be protected, your honor, from this man's impertinence.

Mr. Pemberton again promised protection.

Mr. Culverwell, recalled—I cannot swear a receipt was given Sheriff Naylor for the amount paid Mr. Drake; wouldn't swear an entry was not made in a book.

Kenneth McKenzie, sworn—I was offered two guineas for attending as a witness in the case of Langford vs. King. Mr. Miles offered them to me at my house; it might have been a month after the trial; I told Mr. M. that Mr. Langford might retain the money if he wished—if not, to give it to the public hospital; cannot swear whether this took place before or after the 12th day of June.

A. G. Dallas, sworn—I received the sum of two guineas as a witness in the case of Langford vs. Cary.

The magistrate said the witness need not answer; it was optional with himself. The question before the court was whether Mr. Munro had received two guineas or not.

Mr. Langford—I wish to prove that my information was truthful; the summons reads "divers other sums." If you have issued your summons wrong, it is your own fault.

Mr. Pemberton—By courtesy, I have allowed you to put many irrelevant questions.

Mr. Langford—I did not come here for courtesy—I came here for justice.

Mr. Cary—You'll get that on your trial for perjury.

Witness, continuing—I received the money from Mr. Miles, and told him to pay it to the person that gave it to me.

Mr. Langford briefly addressed the magistrate, and said that he had paid the money according to the bill; he had proved that he had paid money for witnesses which had never been given them. He left the case with his honor to decide.

Mr. Cary addressed his honor in reply and said that when this case was over he should prefer a charge of wilful and malicious perjury against Mr. Langford. He, an officer holding a high position, had been brought down to a police court, charged with having committed a deliberate criminal act. He was charged with obtaining money under false pretences. The object in dragging him to court, was to give Mr. King a chance to "blow" upon the government. The man that brought me here lies!

Mr. Langford—And you're a d—d liar! You have fabricated a bill of costs.

Mr. Cary—When this case is over I shall see whether a man's liberty, his honor, his wife, can be blasted for political purposes. [Mr. Cary here became very much affected; his eyes filled with tears, and his whole frame shook with emotion]. My character can never recover from this stain—the stigma of this criminal charge. I ask your honor to dismiss the case.

Judge Pemberton addressing Mr. Langford, said—You state in your information that Mr. Cary had received two guineas which he had neglected to pay over to Mr. Munro. Mr. Munro has been put on the stand and says that he would not have received the money had it been tendered him; he also says he would not object to its being given to the hospital, and it has been given to that institution. I should never have issued the summons in this case if it had not been to give Mr. Cary an opportunity to clear his character from this charge. There has not been a particle of evidence adduced to prove the charge, and I dismiss it with censure.

Mr. Cary—Happily we are not at present under the jurisdiction of the Pope of Vancouver Island.

Witness—I intended the fee should never be charged to Mr. Langford.

E. Hammond King, sworn—Was the defendant in the case of Langford vs. King.

Ques.—Did you ever see the bill of costs?

Ans.—Yes; in the Registrar's office—in the hands of Mr. Drake; it was the day on which it was taxed; that was the first time I ever saw it.

Ques.—Did you make any remark?

Mr. Cary objected to these questions—they were too frivolous—they were childish.

Mr. King—I wish to say to the bench that I remarked the bill of costs was excessive.

Mr. Pemberton said he could only allow evidence bearing on the matter of Munro's fees.

Mr. King—It is necessary for the ends of justice that my evidence should be taken.

Mr. Langford—Mr. Cary was your Attorney?

Mr. King—Most decidedly.

Ques.—Did you ever summon any witness?

Mr. King—Never.

Mr. Langford wished a fair investigation. He did not wish to punish Mr. Cary.

Mr. Cary—Well, I do you, and will, after this is over.

Mr. Langford—Did you ever pay Mr. Cary any money?

Ans.—Yes, £20.

Ques.—From whom did you receive that money?

Ans.—From Mr. CHAS. GOOD!

[This answer created great sensation among the spectators, and some hissing was heard.]

Mr. Langford—The private secretary of the Governor!

Mr. King—Yes.

Mr. Cary—This is what I have been dragged here for, is it?

Mr. King—I never told Mr. Cary to summon Munro; never subpoenaed you to bring

all your books and papers; I never employed any other lawyer than Mr. Cary.

Mr. Pemberton here said such evidence was trifling with the court.

Mr. King—I think it necessary to state what I know about this bill of costs. I remarked that it was excessive. Mr. Drake replied, "Oh, well, it will learn Mr. Langford better in future."

Mr. Drake, sworn—Received the amount of costs from Sheriff Naylor; Mr. Cary must have known that I received the money; I entered it in my book; Mr. Cary has not access to it.

To Mr. Cary—The professions were separate at the session of court held upon the third of July; you know nothing about this bill of costs, I did the whole of the attorney's business in this case; Mr. Langford's attorney was present at the taxation; I think Mr. King was fully aware of what was going on? I subpoenaed the witnesses; you had nothing to do with the case except as counsel, do not believe you could make out a bill of costs if you tried; it is not barrister's business; Mr. Wight, Langford's counsel, told me that if he had the making out of the bill, he would make it £150 more; from the service of the writ down to this present case, you knew nothing about the costs; have had conversation with Mr. King; do not think you could have defended Mr. Langford out of two guineas because you never saw the bill of costs. Mr. King was well aware of my position. [Letter shown witness]. I wrote this letter asking Mr. Langford to settle the bill, and signed "for George Hunter Cary." Know Mr. Mills, he is not a clerk in my office; I positively acted as Mr. Cary's attorney.

Mr. Langford—Who ordered you to summon the witnesses?

Ans.—I summoned them from my position as attorney.

Mr. L.—You are ashamed to say who told you.

Mr. D.—Oh, no! I am not ashamed to do so.

It was my duty to hunt up evidence.

Mr. L.—Did you ever pay Mr. Cary the amount of £26 10s.

Mr. D.—I never did.

Mr. L.—Who did then.

Mr. D.—I cannot answer that—I did the whole business as attorney in this case after plea was filed.

Mr. Langford—But Mr. King swears he only paid Cary £20, while in the bill of costs I find £46 10s., charged as counsel's fees.

Mr. King, recalled—Ques. by Mr. Langford—Do you believe anybody else besides Mr. Cary had anything to do with that case as a lawyer?

Ans.—Most decidedly not, until long after the trial; I paid Mr. King £20; that was all I paid him except eight guineas for a special jury.

To Mr. Cary—Mr. Drake was present at the time of the trial, sitting with some papers; I had some conversation with him, but did not know he was my attorney; the eight guineas I paid for a special jury, was afterwards he paid to me.

Mr. Langford—I was not out of pocket one sixpence on the trial; I asked Mr. Cary to return me the £20 paid him; but he returned a message saying that he had given the money back to the person that gave it to me.

Mr. Langford briefly addressed the magistrate, and said that he had paid the money according to the bill; he had proved that he had paid money for witnesses which had never been given them. He left the case with his honor to decide.

Mr. Cary addressed his honor in reply and said that when this case was over he should prefer a charge of wilful and malicious perjury against Mr. Langford. He, an officer holding a high position, had been brought down to a police court, charged with having committed a deliberate criminal act. He was charged with obtaining money under false pretences. The object in dragging him to court, was to give Mr. King a chance to "blow" upon the government. The man that brought me here lies!

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To the Court—Had no understanding with Mr. McKenzie on the subject. Think Mr. McKenzie was perfectly aware that I did not intend taking the fee.

Mr. Cary—If Mr. Dallas or Mr. McKenzie had authorized Mr. Miles to pay the money to Mr. Langford, I should have felt bound to that arrangement; if they had authorized Mr. Miles to pay it to the hospital, I should have been satisfied. My wish was to see it returned to Mr. Langford.

Mr. Langford—I object to these questions, your honor.

Mr. Pemberton—These questions are quite proper.

Mr. Langford—Your honor has stopped me asking questions several times, but you have objected to none of the prisoner's questions.

Mr. Cary—Happily we are not at present under the jurisdiction of the Pope of Vancouver Island.

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